



Tfw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pedlow, Jr. et al.

Group Art Unit: 2192

Serial No.: 10/802,084

Examiner: Olatunji, Olatunde O.

Filed: 3/16/2004

Title: Hybrid Storage of Video on
Demand Content

Attorney Docket No.: SNY-T5711.02

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The undersigned submits herewith patents, publications or other information (enclosed herewith and/or listed on the enclosed list of references form) of which he is aware, which he believes is relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and any appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement is submitted:

☒ Under 37 CFR §1.97(b).

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☐ Under 37 CFR §1.97(c).

☐ Below is a statement under 37 CFR §1.97(e), or

☐ An IDS submission fee under 37 CFR §1.17(p).

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first. Either a statement under 37 CFR 1.97(e) or an IDS submission fee is required.)

☐ Under 37 CFR §1.97(d).

☐ Below is a statement under 37 CFR §1.97(e), and

☐ Applicant(s) hereby petitions under 37 CFR §1.97(d)(2) for consideration of this Information Disclosure Statement, and

☐ A petition fee set forth in 37 CFR §1.17(i) is paid as indicated below.

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

5

The undersigned hereby certifies under 37 CFR §1.97(e) that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- ☐ No item of information contained in the Information Disclosure Statement:
 - were cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, were known to an individual designated in 37 CFR §1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

A concise explanation of relevance of the items listed on the attached form:

- ☐ Additional information is provided in an appendix to this communication.
- ☐ Appears in the body of the application.
- ☐ Is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- ☐ Is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or "material" to this invention or any application for patent for this invention.

In accordance with 37 CFR §1.97, the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other information that may be material as defined in 37 CFR §1.56 exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.97 and §1.98 and MPEP §609. The Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.

- ☒ No fee is believed to be required for this IDS.
- ☐ A check for the above fees is enclosed.
- ☐ Please charge the IDS fee of \$ 180 under 37 CFR §1.17(p) to my credit card. See the enclosed credit card charge authorization form.
- ☒ The commissioner is hereby authorized to charge any additional fees which may be required for this submission, or credit any overpayment to my Deposit Account No. 50-1267.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JERRY A. MILLER Reg. No. 30,779

/JerryMiller30779/

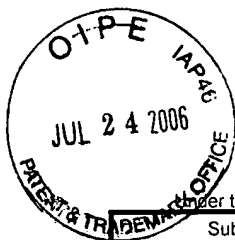
Respectfully submitted,

/JerryMiller30779/

Jerry A. Miller
Registration No. 30,779

Dated: JUL 20 2006

Please Send Correspondence to:
CUSTOMER NUMBER 24337
Miller Patent Services
2500 Dockery Lane
Raleigh, NC 27606
Phone: (919)-816-9981
Fax: (919)-816-9982



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/802,084
Filing Date	3/16/2004
First Named Inventor	Pedlow, Jr. et al.
Art Unit	2192
Examiner Name	Olatunji, Olatunde
Attorney Docket Number	SNY-T5711.02

Sheet	1	of	1
-------	---	----	---

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US 4,712,238	12/08/1987	Gilhausen et al.	
		US 4,989,245	01/29/1991	Bennett	
		US 5,091,936	02/25/1992	Katznelson	
		US 5,144,664	09/01/1992	Esserman et al.	
		US 5,237,610	08/17/1993	Gammie et al.	
		US 5,319,707	06/07/1994	Wasilewski et al.	
		US 5,341,425	08/23/1994	Wasilewski et al.	
		US 5,381,481	01/10/1995	Gammie et al.	
		US 5,400,401	03/21/1995	Wasilewski et al.	
		US 5,444,491	08/22/1995	Lim	
		US 5,491,748	02/13/1996	Auld Jr. et al.	
		US 5,539,823	07/23/1996	Martin et al.	
		US 5,583,863	12/10/1996	Darr, Jr. et al.	
		US 5,590,202	12/31/1996	Bestler et al.	
		US 5,699,429	12/16/1997	Tamer et al.	
		US 5,726,711	03/10/1998	Boyce	
		US 5,923,755	07/13/1999	Birch et al.	
		US 5,930,361	07/27/1999	Hayashi et al.	
		US 6,026,164	02/15/2000	Sakamoto et al.	
		US 6,055,315	04/25/2000	Doyle et al.	
		US 6,072,872	06/06/2000	Chang et al.	
		US 6,108,422	08/22/2000	Newby et al.	
		US 6,324,288	11/27/2001	Hoffman	
		US 6,236,727	05/22/2001	Ciacelli et al.	
		US 2002/0083438	01/27/2002	So et al.	
		US 2002/0026587	02/28/2002	Talstra et al.	
		US 2002/0047915	04/25/2002	Misu	
		US 2002/0097322	07/25/2002	Monroe et al.	
		US 6,445,738	09/03/2002	Zdepski et al.	
		US 6,453,115	09/17/2002	Boyle	
		US 2002/0184506	12/05/2002	Perlman	
		US 2003/0009669	01/09/2003	White et al.	
		US 2003/0072555	04/17/2003	Yap et al.	
		US 2003/0084284	05/01/2003	Ando et al.	
		US 2003/0204717	10/30/2003	Kuehnel	
		US 6,650,754	11/18/2003	Akiyama et al.	
		US 6,754,276	06/22/2004	Harumoto et al.	
		US 6,115,821	09/05/2005	Newby et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ - Kind Code ⁵ (if known)				
		WO 01/65762	09/07/2001	PCT		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"How Networks Work - Millennium Edition" - pages 88-89, Que Corporation, 2000	

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of US PTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.